



PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Petitions, P.O. Box 1450, Alexandria, VA 22313-1450.

9 May 2003
Date

Phoebe E. Pogson
Phoebe E. Pogson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Daniel B. Penny and Steven So Attorney Docket No.: 500794.01
Serial No. : 09/836,593 Group Art Unit : 2185
Filed : April 16, 2001 Examiner : not yet assigned
Title : BURST COUNTER CONTROLLER AND METHOD IN A MEMORY DEVICE
OPERABLE IN A 2-BIT PREFETCH MODE

PETITION TO REVIVE UNDER 37 C.F.R. § 1.137(b)

Mail Stop Petitions
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please revive the above-identified application, which was erroneously abandoned by the U.S. Patent and Trademark Office for alleged failure to respond to the Notice to File Corrected Application Papers dated June 21, 2001. Attached is a copy of the response which was timely filed on August 10, 2001, and a Declaration of Edward W. Bulchis in support of this petition.

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Applicants believe that since fault for the erroneous abandonment lies with the U.S. Patent and Trademark Office, no fee is due. Should a fee be required, the Commissioner is authorized to charge said fee to Deposit Account No. 50-1266

Respectfully submitted,

DORSEY & WHITNEY LLP



Edward W. Bulchis
Registration No. 26,847

EWB:pep

Enclosures:

Postcard

Copy of this Petition

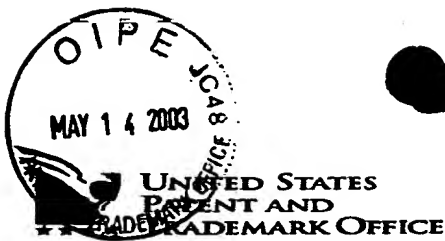
Copy of Notice of Abandonment

Declaration in Support of Petition

Copy of Previously-filed Response (Exhibit 1)

1420 Fifth Avenue, Suite 3400
Seattle, WA 98101
Tel: (206) 903-8800
Fax: (206) 903-8820

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Commissioner for Patents
Washington, DC 20231
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 09/836,593 | 04/16/2001 | Daniel B. Penney | 500794.01 |

CONFIRMATION NO. 7865

**ABANDONMENT/TERMINATION
LETTER**



OC000000009921743

27076
DORSEY & WHITNEY LLP
INTELLECTUAL PROPERTY DEPARTMENT
SUITE 3400
1420 FIFTH AVENUE
SEATTLE, WA 98101

Date Mailed: 04/28/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/21/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FEE TRANSMITTAL SHEET (FOR FY 2001)

Complete if Known

| | |
|----------------------|-------------------------|
| Application No. | 09/836,593 |
| Filing Date | April 16, 2001 |
| First Named Inventor | Daniel B. Penney et al. |
| Group Art Unit | 2185 |
| Examiner | Not yet assigned |
| Atty. Docket Number | 500794.01 |

METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. ☐ Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 101 | 710 | 201 | 355 | <input type="checkbox"/> Utility Filing Fee |
| 106 | 320 | 206 | 160 | <input type="checkbox"/> Design Filing Fee |
| 108 | 710 | 208 | 355 | <input type="checkbox"/> Reissue Filing Fee |
| 114 | 150 | 214 | 75 | <input type="checkbox"/> Provisional Filing Fee |
| Subtotal (1) | | | \$0 | |

2. EXTRA CLAIM FEES

| Current Claims | Prior | Extra | Fee | Fee Paid |
|---------------------------|-------|-------|-------------|----------|
| Total | 33 | - 33 | = 0 x \$ 18 | = \$ 0 |
| Ind. | 13 | - 13 | = 0 x \$ 80 | = \$ 0 |
| Multiple Dependent Claims | | | x \$ | = \$ |
| Subtotal (2) | | | \$0 | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent Claim |
| 109 | 80 | 209 | 40 | Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | Reissue claims in excess of 20 and over original patent |

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge - Late filing fee or oath | \$ |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | \$ |
| 139 | 130 | 139 | 130 | Non-English specification | \$ |
| 147 | 2,520 | 147 | 2,520 | For Filing a Request for Reexamination | \$ |
| 115 | 110 | 215 | 55 | Extension for reply within first month | \$ |
| 116 | 390 | 216 | 195 | Extension for reply within 2 nd month | \$ |
| 117 | 890 | 217 | 445 | Extension for reply within 3 rd month | \$ |
| 118 | 1,390 | 218 | 695 | Extension for reply within 4 th month | \$ |
| 128 | 1,890 | 280 | 945 | Extension for reply within 5 th month | \$ |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | \$ |
| 121 | 260 | 270 | 135 | Request for oral hearing | \$ |
| 148 | 110 | 248 | 55 | Terminal Disclaimer Fee | \$ |
| 140 | 10 | 240 | 55 | Petition to revive - unavoidable | \$ |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | \$ |
| 142 | 1,240 | 242 | 620 | Utility/Reissue issue fee (+ advance copies) | \$ |
| 143 | 440 | 243 | 220 | Design issue fee (+ advance copies) | \$ |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | \$ |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | \$ |
| 126 | 180 | 126 | 180 | Submission of IDS | \$ |
| 581 | 40 | 81 | 40 | Recording each patent assignment per property (times number of properties) | \$ |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | \$ |
| Other fee (specify) | | | | | \$ |

Subtotal (3) \$0

Total Amount of Payment: \$0

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Submitted by:

| | | |
|-------------------------------------|------------------------------|---------------------------|
| Name: Edward W. Bulchis | Reg. No.: 26,847 | Telephone: (206) 903-8800 |
| Signature: <i>Edward W. Bulchis</i> | Date: <i>August 10, 2001</i> | |



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/836,593 | 04/16/2001 | Daniel B. Penney | 500794.01 |

CONFIRMATION NO. 7865

FORMALITIES LETTER



OC00000006208107

Edward W. Bulchis, Esq.
DORSEY & WHITNEY LLP
Suite 3400
1420 Fifth Avenue
Seattle, WA 98101

Date Mailed: 06/21/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Specification, claims, or abstract pages are not typewritten or mechanically printed in permanent dark ink on one side (See 37 CFR 1.52(a) and (b)).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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